

**EDUCATION, ARTS, AND HUMANITIES**

**Kentucky Board of Education**

**Department of Education**

**(Amendment)**

**702 KAR 7:065. Designation of agent to manage high school interscholastic athletics.**

RELATES TO: KRS 156.070(2)

STATUTORY AUTHORITY: KRS 156.070(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070 requires the Kentucky Board of Education (KBE) to manage and control the common schools, including interscholastic athletics in the schools, and authorizes the KBE to designate an agency to manage athletics. This administrative regulation designates an agent for high school athletics; establishes the financial planning and review processes for the agent; and incorporates by reference the bylaws, procedures and rules of the agent.

Section 1. The Kentucky High School Athletic Association (KHSAA) shall be the Kentucky Board of Education's agent to manage interscholastic athletics at the high school level in the common schools, including a private school desiring to associate with KHSAA and to compete with a common school.

Section 2. To remain eligible to maintain the designation as the agent to manage interscholastic athletics, the KHSAA shall:

(1) Accept four (4) at-large members appointed by the Kentucky Board of Education to its governing body;

(2) Sponsor an annual meeting of its member schools;

(3) Provide for each member school to have a vote on constitution and bylaw changes submitted for consideration;

(4) Provide for regional postseason tournament net revenues to be distributed to the member schools in that region participating in that sport, utilizing a share approach determined by the schools within that region playing that sport;

(5) Require its governing body to annually establish goals and objectives for its Commissioner and perform a self-assessment and submit the results annually to the KBE by October 31.

(6) Advise the Department of Education of all legal action brought against the KHSAA by October 31;

(7) Permit a board of control member to serve a maximum of two (2) consecutive four (4) year terms with no region represented for more than eight (8) consecutive years;

(8) Employ a commissioner and evaluate that person's performance annually by October 31, and establish all staff positions upon recommendation of the commissioner;

(9) Permit the commissioner to employ other personnel necessary to perform the staff responsibilities;

(10) Permit the Board of Control to assess fines on a member school;

(11) Utilize a trained independent hearing officer instead of an eligibility committee for an appeal;

(12) Establish a philosophical statement of principles to use as a guide in an eligibility case;

(13) Conduct field audits of the Association's entire membership over a five-year period

1 regarding each school's compliance with 20 USC Section 1681 (Title IX).and submit summary  
2 reports including the highlighting of any deficiencies in compliance on a regular (not less than  
3 three times annually) basis to the Kentucky Board of Education as requested; as a condition  
4 precedent to membership, require each member school and superintendent to annually submit a  
5 written certification of compliance with 20 USC Section 1681 (Title IX). ;

6 (14) Conduct all meetings in accordance with KRS 61.805 through 61.850; and

7 (15) Provide written reports of any investigations into possible violations of statute,  
8 administrative regulation, KHSAA Constitution, bylaws, and other rules governing the conduct  
9 of interscholastic athletics conducted by KHSAA or their designees to the superintendent and  
10 principal of the involved school district and school prior to being made public.

11 Section 3. Financial Planning and Review Requirements..

12 (1) KHSAA shall annually submit the following documents to the KBE by October 31:

13 (a) Draft budget for the next two (2) fiscal years, including the current year;

14 (b) End of Year budget status report for the previous fiscal year;

15 (c) Revisions to the KHSAA Strategic Plan as a result of an annual review of the plan by  
16 the KHSAA governing body;

17 (d) A summary report of operations including financial, legal and administrative  
18 summaries of actions taken and other items ongoing within KHSAA. This report shall also  
19 include a summary of items affecting:

20 1. Athletic appeals and their disposition including the name of the individual,  
21 grade, school, and the action taken by KHSAA;

22 2. Eligibility rules;

23 3. Duties of school officials;

1 4. Contests and contest limitations;

2 5. Requirements for officials and coaches; and

3 6. Results of a biennial review of its bylaws that results in a recommendation for a  
4 change, directing any proposals for change in association rules to be considered for vote  
5 by the member schools at the next legislative opportunity; and

6 (e) A review of all items which have been submitted to the membership for approval  
7 through the processes established in the KHSAA Constitution and the result of the voting on  
8 those issues;

9 (2) The KHSAA shall annually submit by December 31, audited financial statements  
10 with the KHSAA Commissioner's letter addressing exceptions or notes contained in  
11 Management Correspondence, if any.

12 Section 4. The bylaws, tournament rules, and due process procedures of the KHSAA  
13 Handbook, Fall 2006 [~~Fall 2005~~] shall apply to high school interscholastic athletics in Kentucky.

14 Section 5. Incorporation by Reference. (1) "Kentucky High School Athletic Association  
15 Handbook, Fall 2006 [~~Fall 2005~~]", Kentucky High School Athletic Association, is incorporated  
16 by reference.

17 (2) This document may be inspected, copied, or obtained, subject to applicable copyright  
18 law at the Office of Legal and Legislative Services, Department of Education, First Floor,  
19 Capital Plaza Tower, Frankfort, Monday through Friday, 8 a.m. through 4:30 p.m.

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This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(4).

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Date

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Gene Wilhoit  
Commissioner of Education

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Date

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Keith Travis, Chairperson  
Kentucky Board of Education

PUBLIC HEARING: A public hearing on this proposed administrative regulation shall be held on March 30, 2006, at 10:00 a.m. in the State Board Room, 1<sup>st</sup> Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to Kevin M. Noland, Deputy Commissioner, Department of Education, 500 Mero Street, First Floor, Capital Plaza Tower, Frankfort, Kentucky, 40601, phone 502/564-4474, fax 502/564-9321.